

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DORAN R. KRAUS,

Defendant.

CASE NO. C16-5449BHS

ORDER GRANTING
PLAINTIFFS' MOTIONS

This matter comes before the Court on Plaintiff United States of America's motion to amend complaint (Dkt. 18) and motion to vacate and reset initial scheduling deadlines (Dkt. 19). The Court has considered the pleadings filed in support of and in opposition to the motions and the remainder of the file and hereby grants the motions for the reasons stated herein.

I. PROCEDURAL HISTORY

On June 8, 2016, the Government filed a complaint against Defendant Doran Kraus ("Kraus") to reduce tax assessments to judgment. Dkt. 1.

On December 14, 2016, the Government filed a motion to amend the complaint to add additional assessments against Kraus and add parties that may have an interest in the subject property. Dkt. 18. On December 15, 2016, the Government filed a motion to vacate and reset the initial deadlines. Dkt. 19. On December 23, 2016, the Clerk received notice from Kraus that he reserves all his rights and does not recognize the existence of the federal government. Dkt. 20.

II. DISCUSSION

At this point of the proceeding, “a party may amend its pleading only with the opposing party’s written consent or the court’s leave. The court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2).

In this case, the Government has shown that leave to amend is warranted. Adding the additional claims against Kraus would avoid duplicative litigation, and the additional parties must be named in this proceeding. 26 U.S.C. § 7403(b). Accordingly, the Court grants the motion.

Regarding the initial scheduling dates, the Court grants extensions for good cause. The Government has shown that good cause exists to afford the added parties the opportunity to participate in the initial conferences. Accordingly, the Court grants the Government’s motion.

III. ORDER

Therefore, it is hereby **ORDERED** that the Government’s motion to amend complaint (Dkt. 18) and motion to vacate and reset initial scheduling deadlines (Dkt. 19) are **GRANTED**. The Government shall file the amended complaint as a new entry on the electronic docket as soon as practicable.

Dated this 26th day of January, 2017.



BENJAMIN H. SETTLE
United States District Judge